

RESOLUTION NO. 16-7531

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, AMENDING POLICIES RELATED TO THE CITY'S ADVISORY BOARDS AND COMMISSIONS, AND RESCINDING RESOLUTION NO. 16-7505

WHEREAS, the City of Covina has a strong tradition of community participation, one of which is through service on a board, commission, or committee;

WHEREAS, on August 16, 2016, the City Council adopted Resolution No. 16-7505 establishing policies for the advisory bodies of the City; and

WHEREAS, on September 20, 2016, the City Council directed staff to amend the composition of the Finance Advisory Commission from five to seven members;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The rules, procedures, and policies for City advisory boards, commissions and committees as outlined in Resolution No. 16-7505 are hereby repealed and deleted in their entirety.

SECTION 2. The City Council of the City of Covina hereby adopts the following statement entitled, "Appointment to Boards and Commissions" attached hereto as Exhibit A, as the governing policies for City advisory boards, commissions and committees.

SECTION 3. All previously-adopted resolutions or parts of resolutions in conflict herewith are hereby repealed.

SECTION 4. The City Clerk shall certify to the passage and adoption of this resolution and shall enter the same in the Book of Original Resolutions.

SECTION 5. The City Clerk is hereby directed to include Exhibit A of this resolution in the City's Administrative Policy Manual.

APPROVED and PASSED this 4th day of October, 2016.

City of Covina, California

BY: 

KEVIN STAPLETON, Mayor

ATTEST:

Sharon F. Clark
SHARON F. CLARK, Chief Deputy City Clerk

APPROVED AS TO FORM:

[Signature]
CANDICE K. LEE, City Attorney

CERTIFICATION

I, Sharon F. Clark, Chief Deputy City Clerk of the City of Covina, do hereby certify that Resolution No. 16-7531 was duly adopted by the City Council of the City of Covina at a regular meeting held on the 4th day of October, 2016, by the following vote:

AYES: COUNCIL MEMBERS: ALLEN, DELACH, KING, MARQUEZ, STAPLETON
NOES: COUNCIL MEMBERS: NONE
ABSTAIN: COUNCIL MEMBERS: NONE
ABSENT: COUNCIL MEMBERS: NONE

Dated: October 5, 2016

Sharon F. Clark
SHARON F. CLARK, Chief Deputy City Clerk

CITY OF COVINA

Appointment to Boards, Commissions, and Committees Policy

PURPOSE:

Public involvement is crucial to the City's decision-making process, and appointed advisory bodies are an important and valued part of City government. There are particular areas of decision-making which benefit from the advice and counsel of qualified residents. By advising the City Council and staff, bringing new ideas to the table, and representing all of the diverse elements of our community, advisory bodies assist the City Council in making the best, most informed decisions possible, for the benefit of the entire Covina community. The Covina Municipal Code provides for the establishment of advisory bodies including commissions, committees, and boards to advise the City Council and provide ongoing citizen input into policies and issues affecting the Covina community.

The purpose of this Policy is to outline those Council policies pertaining to the City's Boards and Commissions and set forth a structure that encourages meaningful involvement by the community in decision-making. Boards and commissions are created by the City Council for the following general purposes:

- Gather facts and focus attention on specific matters within their area of responsibility, advise the City Council on policy issues, and recommend actions and alternatives for City Council consideration.
- Provide a forum and opportunity for broad community participation in the identification and prioritization of issues.
- Facilitate reconciliation of contradictory viewpoints among interested parties.
- Assist in balancing community desires with municipal responsibility and resources.
- Recommend to the City Council specific policy-related issues for possible Council study and action.

Additionally, each board and commission has specific assignments or areas of responsibility as established by this Policy.

Committees may be created by resolution of the City Council, as needed, to study specific issues or matters that are limited in scope. The length of the assignment would be shorter in duration than the standing, or ongoing, commissions and boards. Ad hoc committees may be established to facilitate the study of Council-directed or staff-requested initiatives. These committees would be project-specific and would function only for the duration of the project.

Boards and commissions are not responsible for administrative/operational matters of the City nor the implementation of Council policy, except as requested by the city manager or his/her designated staff.

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SECTION 1. COMMISSIONS AND BOARDS.

The City Council hereby establishes six Council-appointed commissions and boards:

(A) Finance Advisory Commission – Advises the City Council on finance-related policies and issues, including the annual operating and capital improvement program, and reviews, evaluates, and monitors Community Development Block Grant (CDBG) programs.

(B) Library Board of Trustees – Solicits the views of the community and advises the Director about the policies and operations that promote the efficiency of the Library. The Board may make and enforce all rules, regulations and bylaws necessary for the administration, government, and protection of the Library under its management, and all property belonging thereto.

(C) Parking Place Commission – Serves as an advisor and makes recommendations to the City Council in matters pertaining to acquiring, maintaining, operating and administering the off-street parking facilities for downtown Covina. The boundaries of Vehicle Parking District No. 1 are the purview of the Commission.

(D) Parks and Recreation Commission – Advises the City Council on matters pertaining to the community service needs of the citizens of Covina relating to cultural and historical activities/programs and special events, facilities and park maintenance, public recreational services, senior services, and youth services. The Commission will be expected to be visionaries, be open minded to meet the ever-changing interests of the diverse, multicultural community, be actively open to receive input from individuals and community organizations, and participate in the development of facilities, programs and services that accommodate the needs of the community.

(E) Planning Commission – Conducts hearings related to variances, conditional use permits, and zoning regulations; reviews the General Plan; and conducts other studies as required or authorized.

(F) Traffic Advisory Commission – Serves as an advisor and makes recommendations to the City Council in matters pertaining to the operation and management of the City's transportation system and provides a public forum for citizen input on the City's transportation system. Board may discuss, analyze, evaluate and make recommendations to the City Council on short and long-range measures to enhance the City's transportation system.

In addition, the City Council acknowledges the following existing boards which are currently under review:

(G) Personnel Advisory Board – Meets only upon occasion of certain grievances filed by employees of the City. Closed sessions may be held to consider the appointment or dismissal of a public employee, or to hear complaints or charges brought against an employee by another person or employee, unless the employee requests that the matter be conducted publicly.

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(H) Youth Accountability Board – Enriches the community through intervention into the behavior and activities of first-time juvenile offenders who have committed a minor offense.

SECTION 2. ELIGIBILITY AND MEMBERSHIP.

(A) Compensation – Commission or board members serve without compensation, unless provided for by resolution of the City Council.

(B) City Employment Prohibited – Commission or board members shall not hold any paid office or employment in the City Government, except as provided herein.

(C) Spouses, Household Members, and Relatives – Individuals shall not be eligible to serve on a commission or board, if the individual has a spouse, household member living under the same roof, or has a parent, step-parent, grandparent, child, sister, brother, niece, nephew, uncle, or aunt of the individual or of the individual's spouse that is currently serving as a member of the City Council, or employed as the city manager, assistant city manager, assistant to the city manager, city attorney, department director, assistant director, or the equivalent thereof, for the City of Covina.

(D) Concurrent Service – Members of commissions or boards listed herein may serve on more than one commission or board at the same time, except in the case where a conflict arises.

(E) Specific Membership Requirements

1. **Finance Advisory Commission** – This seven-member commission acts in an advisory capacity to the City Council in matters pertaining to the City's finances, reviews and makes recommendations on finance-related policies and issues, including the annual operating and capital improvement program, and reviews, evaluates, and monitors Community Development Block Grant (CDBG) programs. Membership in this Commission is open to local business people and property owners in the City, and the city treasurer.

2. **Library Board of Trustees** – Formed pursuant to Chapter 2.44 of the Covina City Code Section. This five-member board acts in an advisory capacity to the City Council on library related issues. Each member shall be a resident of the City and have been a resident for at least one year prior to appointment.

3. **Parking Place Commission** – This five-member commission acts in an advisory capacity to the City Council in matters pertaining to the public parking areas. Generally, members shall be a resident of the City, and priority for membership will be given to residents.

4. **Parks and Recreation Commission** – This five-member commission acts in an advisory capacity to the City Council in matters and services pertaining to parks, open space, playgrounds, entertainment, other cultural and recreational activities. Generally, members shall be a resident of the City, and priority for membership will be given to residents.

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5. Planning Commission – Formed pursuant to Chapter 2.28 of the Covina City Code, this five-member commission acts in an advisory capacity to the City Council and has some decision-making authority on land use and development of the City. Generally, members shall be a resident of the City, and priority for membership will be given to residents.

6. Traffic Advisory Commission – This five-member commission acts in an advisory capacity to the City Council concerning policies affecting the City's transportation system. Generally, members shall be a resident of the City, and priority for membership will be given to residents.

7. Personnel Advisory Board – This board consists of five members who must be residents of the city and cannot hold a salaried position with the city. Duties are established by Covina Municipal Code Section 2.36.040; however, the scope of the assignment is limited by the Personnel Rules, under which the Board shall hear appeals of Type II Grievances resulting from disciplinary actions including, but not limited to, suspension, demotion or termination.

8. Youth Accountability Board – Consists of six members who must be dedicated to enriching the community through intervention into the behavior and activities of first-time Juvenile offenders who have committed a minor offense. Highly desirable applicants will either reside or work in Covina and be graduates of the Covina Police Department Citizens' Academy. Board members are subject to a thorough background investigation and will be required to sign a confidentiality notice pertaining to all juvenile matters heard by the Board.

SECTION 3. RECRUITMENT, APPOINTMENT AND SELECTION.

(A) Appointment

1. Appointment to a commission or board is an honor and a responsibility. It signifies the City Council's confidence in the member's wisdom and judgment and places upon the member the duty to prepare for and attend meetings and consistently work toward and vote in a manner that promotes the public interest. Members are not selected to represent a business, area of the community, school, or organization. Each member, and the commission or board, as a whole, is concerned with the general public good. Where personal interest conflicts with the general welfare of the public, the latter must prevail.

2. When a vacancy exists, applications will be received by the City Clerk's Office and provided to the City Council for consideration.

3. Prior to appointment, prospective members may be interviewed by the entire city Council at a study session meeting pursuant to the Ralph M. Brown Act which requires that all discussions and deliberations by the City Council regarding appointments or confirmation of appointments are to take place in public at regular or special meetings of the body.

4. At a regular or special meeting, the City Council will make appointments through a formal balloting process; except that when the number of vacancies is equal to or less than the

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number of qualified applicants for the position(s), the Council may choose to waive the formal balloting procedure.

5. Members shall be appointed for a term of four years expiring on June 30; except for members of the Library Board of Trustees whose terms shall be for three years, and the Youth Accountability Board whose terms shall be for two years.

(B) Oath of Office

Each board and commission member, before entering upon the discharge of the duties of his/her office, shall receive the City's Code of Conduct, Resolution No. 09-6748, and take, subscribe to, and file with the city clerk the following oath or affirmation:

"I do solemnly swear (or affirm, as the case may be) that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of (here inserting the name of office) according to the best of my ability."

Each board and commission member shall have the opportunity to receive a ceremonial Oath of Office at a regularly-scheduled City Council meeting.

(C) Vacancies and Recruitment

Through the Office of the City Manager and City Clerk, efforts will be made to fill board or commission vacancies as soon as practical. Upon notification of a vacancy, whether planned or unplanned, staff shall inform Council of the status of recruitment efforts to fill the vacancy.

(D) Training, Conferences and Disclosure Obligations

1. Training shall be provided to all board and commission members by the City, including an orientation session for new members. Training shall be delivered as deemed necessary by the Council and/or city manager and may include topics germane to a specific board or commission and/or training generic to all boards and commissions (e.g. ethics training or "how to run a meeting" for board and commission chairs).

2. Conferences are conducted periodically by outside groups to assist members of commissions and boards in meeting their respective responsibilities more effectively. The City's interests are often served by participation in the educational and training programs offered at the conferences. Each member of City boards and commissions may attend related training and/or conferences, provided that the conference subject matter pertains directly to the function of the board and commission and that funds for this purpose have been budgeted. Members are also responsible for attending training required pursuant to State law.

3. Designated boards and commissions are subject to conflict of interest provisions of the Political Reform Act and must file Statements of Economic Interests. Statements must be filed within 30 days of taking office and thereafter annually, as well as upon leaving office.

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SECTION 4. OFFICERS.

(A) Selection of Chair and Vice Chair

Each board and commission shall, at the first regular meeting in July of each year, or during the next regularly-scheduled meeting if a July meeting is not otherwise necessary, elect one of its members as presiding officer, to serve commencing after the end of the meeting. The selection of chair and vice chair shall be the last item on the agenda at the scheduled meeting.

(B) Chair and Vice-Chair – Roles and Responsibilities

1. Chair – Presides at meetings of the commission or board, and follows Brown Act requirements for conducting meetings and coordinates the scheduling of special meetings or cancellation of a meeting with the staff liaison.
2. Vice-Chair – Serves as the presiding officer in the absence of the chair.

SECTION 5. MEETINGS, ATTENDANCE AND QUORUMS.

(A) Meetings

1. Each commission and board shall be scheduled to meet regularly on a day and time determined by the commission or board and approved by the City Council.
2. As a matter of policy, it serves the public interest to have the greatest possible public access to commission meetings. Meeting locations shall be selected according to the following guidelines:
 - Meeting rooms should be of a size adequate to allow for public participation.
 - Commissions should meet in a location permitting recurring usage of that location to the greatest extent possible.
 - Boards and commissions should preferably meet in the Council Chamber or another facility with adequate parking, interior space, lighting and accessibility to promote involvement.
3. All board and commission meetings, including special meetings, shall be open to the public and held in a manner provided for in the Ralph M. Brown Act, California Government Code section 54590, as it may from time to time be amended.
4. All board and commission meetings shall operate under Parliamentary Procedure. Should this policy and Parliamentary Procedure conflict, this policy shall take precedence.
5. A majority of the members of the board or commission shall constitute a quorum for the transaction of business.

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(B) Attendance

1. Regular attendance at the board or commission meeting is critical. A quorum, or majority, of the members is required to conduct business, and unexcused or repeated absence from meetings adversely affects the work of the group and inconveniences the other members. The boards and commissions need the benefit of every member's expertise and judgment in formulating recommendations to the Council.

2. Each member of a City board and commission is expected to attend all regularly-scheduled meetings, and as many special meetings as possible. When a board or commission member knows in advance that he/she will be absent from a meeting, the member shall give advance notice to the chair and/or staff liaison.

3. The board/commission chair shall, in consultation with the staff liaison, propose that each absence be "excused" or "unexcused". Each board or commission shall then determine by general consent (or, failing to achieve general consent, by majority vote) their members' absences from regularly-scheduled meetings as excused or unexcused and shall include that record in official meeting minutes. Absences from special meetings shall be recorded but shall not be classified as "excused" or "unexcused".

a. Excused Absences – excused absences include work-related conflicts, illness or other medical reasons, and personal conflicts including scheduled vacations when notice is provided in advance. Generally, failure to inform the chair or staff liaison prior to the meeting shall result in an unexcused absence unless extenuating circumstances prevent advance notice.

4. Unexcused absences from three consecutive regularly-scheduled meetings, or from more than 25% of all regularly scheduled meetings over any twelve consecutive month period, shall result in that member's seat being declared vacant. Any declaration of vacancy based on unexcused absence from more than 25% of all regularly scheduled meetings over any consecutive 12-month period shall be appealable to the City Council.

5. Board and Commission members are responsible for monitoring their own attendance records. The staff liaison shall record the attendance of board and commission members in a uniform manner in the meeting minutes and prepare for the City Council semi-annual reports of all the City's boards and commissions showing the attendance of each member at both regular and special meetings during the past 12 months. The percent of regularly-scheduled meetings attended shall only be shown for board and commission members having been in office at least six months.

6. Council shall take into consideration board and commission member attendance records, including tardiness, when evaluating the overall performance of board and commission members.

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(C) Quorum

Boards and commissions have a quorum present when a majority of their total membership is present. "Total membership" means the number of members indicated in Section 3 of this Resolution.

(D) Majority and Abstentions

Commissions and/or Board motions shall be approved by a majority of legal votes cast. Members who fail to vote are presumed to have waived the exercise of their right and to have consented to allow the will of the organization to be expressed by those voting. The tabulation of a vote is based on the number of members present and voting. Abstentions are not counted, since a member who abstains voluntarily relinquishes his or her vote, and is not counted in the results.

SECTION 6. GENERAL AND SPECIFIC DUTIES.

Aside from obligations related to attendance and training noted elsewhere in this policy, the general and specific duties for all commission and board members are:

(A) General Duties

1. Gather facts and focus attention on specific matters within their area of responsibility.
2. Advise the City Council on policy issues, make recommendations, and propose alternatives for City Council consideration.
3. Provide a forum and opportunity for broad community participation in the public process.
4. Facilitate reconciliation of contradictory viewpoints among interested parties.
5. Assist in balancing community desires with municipal responsibility and available resources.
6. Recommend to the City Council specific policy-related issues for possible Council study and action.

(B) Specific Duties

1. Finance Advisory Commission
 - a. Reviews and analyses financial and investment information including the annual operating and capital improvement program.

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- b. Advises the City Council on finance-related policies and issues.
- c. Reviews, evaluates, and monitors Community Development Block Grant (CDBG) programs, and makes recommendations to the City Council on the allocation of funding.

2. Library Board of Trustees

- a. Review and make recommendations on the Library Sub-Element of the General Plan.
- b. Assess community conditions which affect Library goals and policies and encourage efficiency in operations.
- c. Review and make recommendations regarding grant applications and funding allocations.

3. Parking Place Commission

- a. Advises and makes recommendations to the City Council in matters pertaining to acquiring, maintaining, operating and administering the off-street parking facilities for downtown Covina.

4. Parks and Recreation Commission

- a. Advise the City Council on matters pertaining to recreation services, cultural activities and special events, senior services, youth services, human relations, and historical preservation.
- b. Foster, enhance, and recognize volunteer opportunities for people of all ages within the community.
- c. Provide input to the Planning Commission and City Council on matters pertaining to the design and features of parks, community centers, and senior centers that affect the provision of recreation and related services.
- d. Review, analyze and recommend programs and activities directed toward enhancing the recreation, social, and senior service opportunities available to all persons in our community.
- e. Review, analyze and recommend programs and activities that enhance communication and relationships between residents, private and public agencies, local institutions, and businesses in our community.

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5. Planning Commission

- a. Prepare, adopt and recommend to the City Council a comprehensive, long-term plan for the physical development of the City, which shall be known as the city of Covina General Plan.
- b. Prepare, adopt and recommend to the City Council plans based on the General Plan and drafts of such regulations, programs and legislation as may, in its judgment, be required for the systematic execution of the General Plan.
- c. Act on the advisory agency of the City Council in connection with the administration of the State Map Act.
- d. Hear and decide applications for variances, unclassified use permits, tentative tract and parcel maps, as well as precise plans of design in accordance with adopted rules and procedures.
- e. Investigate, hear and recommend to the City Council plans for the improvement and beautification of the City, including such matters relating to changes of zoning regulation and district.
- f. Administrate the Historic Preservation duties outlined in Chapter 17.81 of the Covina Municipal Code.
- g. Perform all other duties as may be imposed by law or the City Council.

6. Traffic Advisory Commission

- a. Study data and statistics, make reports, hold hearings, and make recommendations to the City Council on matters relating to traffic safety in the City.
- b. Review and make recommendations on Federal, State and regional policy proposals related to bicycles, pedestrians, traffic safety, and mobility.
- c. Review and make recommendations on the applicable sections of the General Plan.

7. Personnel Advisory Board

- a. As provided by ordinance and the rules, to hear written appeals submitted by any person in the competitive service relative to any disciplinary action, dismissal, demotion, or alleged violation of this ordinance of the personnel rules and to certify its findings and recommendations as provided in this ordinance.

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b. In any investigation or hearing conducted by the Board, it shall have the power to examine witnesses under oath and compel their attendance or production of evidence by subpoenas issued in the name of the city and attested to by the City Clerk. Each member of the Board shall have the power to administer oaths to witnesses.

c. When requested by the Council or the city administrator, the Personnel Advisory Board shall hold hearings and make recommendations on any matter of personnel administration, within the limits of a request of the city council or the city administrator.

8. Youth Accountability Board

a. Attend bi-monthly meetings during evening hours at the Covina Police Department to review cases referred to the Youth Accountability Board Program.

b. Meet with juvenile offenders and their parents.

c. Draft and present “accountability contracts” designed to address the juvenile’s behavior and any other issues to parent(s) and juvenile for agreement.

d. Review accountability contracts to monitor progress and ensure compliance of participants.

(C) Additional Duties

Additional duties may be conferred upon specific boards and/or commissions by the City Council. These shall be memorialized via the City Charter or by revision to this policy.

SECTION 7. ADMINISTRATION.

(A) Staff Liaison – The City Manager shall appoint a staff liaison to support each board and commission. The staff liaison to each board and commission shall serve as the secretary for the commission and is responsible for maintaining the record of resolutions, findings, determinations, and minutes as required.

(B) Communications – In addition to their role as advisors to the Council, boards and commissions function as a communication link between the community and the City, explaining City programs and recommendations, advocating established City policy and services, as well as providing a channel for citizen expression.

(C) Annual Reports – In order for the City Council to oversee the progress, accomplishments and challenges, each board and commission shall submit annually to the City Council a report that includes, at a minimum, the board/commission’s meeting dates, attendance sheets, a summary of the board/commission’s accomplishments in the past 12 months and goals for the next 12 months,. Annually, the Council will conduct a joint meeting to discuss the annual report and the board/commission’s progress and challenges in meeting its goals and objectives.

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(D) Joint Meetings – Council shall consider joint study sessions with boards and commissions as warranted.

(E) Recognition – An annual event to recognize the service of all board and commission members, as well as citizens serving on special Council ad-hoc committees, shall be coordinated through the Office of the City Manager. Outgoing board and commission members who have served their full term shall receive a certificate of appreciation and a small memento of appreciation.

(G) Resignation/Completion of Term – When a board or commission member resigns from his or her seat, the member shall notify the City Council in writing (email, fax or letter), with copies to the staff liaison, city clerk and city manager, indicating the effective date and the reason(s) for resignation.

(H) Removal

A person appointed by the City Council to any board or commission shall continue to serve as a member thereof except when:

1. The person's term of office expires and a different person has been appointed.
2. The person voluntarily resigns.
3. The person has exceeded the maximum number of unexcused absences and the position has been vacated.
4. The person has been removed from office by the City Council.

A majority vote of the City Council may remove any member of a board or commission for any reason including, but not limited to, conduct unbecoming a public official, violating the City's conflict of interest ordinance or failing to comply with statutory requirements such as the filing requirements under the Political Reform Act. Conduct unbecoming a public official includes the kind of conduct that any reasonable board/commission member would know is incompatible or inimical to public service, would indicate a lack of fitness to perform the functions of a Commissioner or would discredit or cause embarrassment to the City.

Any member of the City Council may initiate a person's removal from a board or commission by requesting at a regular City Council meeting that consideration of the person's removal be placed on the Council's agenda at a regular or special meeting for discussion and potential action. The City Clerk shall notify the person affected of the time and place of the meeting. When the item is on the City Council agenda, the City Council may, by majority vote, remove the person from a board or commission.

SECTION 9. BYLAWS.

Boards and commissions may craft additional bylaw provisions specific to the group, including establishing regular meeting dates, times and locations, as long as the bylaws do not conflict with Sections 1 through 8 above. Any bylaw provisions and revisions thereto must be approved by the City Council.

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